



PLANNING COMMISSION SYNOPSIS

Thursday, August 4th, 2016

CALL TO ORDER

Vice Chairperson Spiess called the Planning Commission meeting to order at 6:00 PM in the City Council Chambers of the Bloomington Civic Plaza.

COMMISSIONERS PRESENT: Spiess, Batterson, Bennett, Goodrum, Solberg, Snyder, Swanson

COMMISSIONERS ABSENT:

STAFF PRESENT: Markegard, Centinario, O'Day

Vice Chairperson Spiess led the attendees in the reciting of *The Pledge of Allegiance*.

ITEM 1

6:01 p.m.

CASE: PL2016-120

APPLICANT: Kimley Horn

LOCATION: 8100 24th Avenue South

REQUEST: Major revision to Final Development Plan for the renovation of the Metro Transit Mall of America Transit Station

SPEAKING FOR THE APPLICANT:

Mary Springer, 3751 Harriet Avenue, Minneapolis, MN 55409

Pat Jones, 500 6th Avenue N, Minneapolis, MN 55411

PUBLIC HEARING DISCUSSION:

Centinario provided the location and noted surrounding uses of the transit station. The proposed modifications include replacing and reorienting the existing transit station that will include transit space, police substation, break and storage area, future retail space, and public restrooms. There would be a direct connection from 24th Avenue to Level 1. He displayed photos of the existing station showing pedestrian challenges, and conflicts between buses and delivery vehicles. The landscape plan would remove 20 existing trees to be replaced with 28 new trees plus new shrubs. The proposed interior building materials include terrazzo. The proposed floor plan shows bike racks, break rooms, light rail transit tracks and escalators. The minimum drive lane for 90 degree parking is 24 feet. They will need a one or two foot deviation for drive aisle width for one portion of their employee parking area. They will be adding three stalls but will need a one or two foot deviation to make it work. Staff sees the need for a future pedestrian bridge over 24th Avenue to the adjoining lands for future development and asked for a conceptual design to make sure the station plans did not precludes such as grade separated crossing. There will be placemaking elements outside the station.

Mary Springer said one intent of the proposal is to improve safety. There will be enhanced lighting and improved sightlines for pedestrians and vehicles. The exterior building materials are

not proposed at this time. They included a conceptual pedestrian bridge location in their proposal. The project schedule includes bidding documents in September 2016 with construction to be completed by January 2017. The project budget is \$25 million.

Pat Jones said the Mall of America Transit Station draws 2.7 million riders annually. The station is in need of a major face lift and improved safety measures. Metro Transit has strong partnerships with the City and the Mall of America. In 2006, transit police operations at the Mall and Bloomington Police Department operations were combined. He thanked staff for their work on the transit station.

Goodrum asked about the proposed bike stalls. How do the bikes circulate through the station?

Centinario stated the sidewalk along 24th Avenue will be widened to 10 feet. There will be an open terrace area to access the bike racks station from the sidewalk.

Goodrum asked about signage for bike racks.

Centinario stated signage is not yet designed at this point but is a good consideration.

Solberg asked for clarification about the surcharge of the storm sewer.

Tom Bowlin stated it is a rare internal issue not related to the City system.

Centinario said the City has not experienced that issue before. The systems in place are more than adequate.

The public hearing was closed via a motion.

ACTIONS OF THE COMMISSION:

M/Bennett, S/Goodrum: To close the public hearing. Motion carried 7-0.

M/Bennett, S/Solberg: In Case PL2016-120, having been able to make the required findings, I move to recommend City Council approval of a major revision to the Final Development Plan for the renovation of the Metro Transit Mall of America Transit Station at 8100 24th Avenue South, subject to the conditions and Code requirements attached to the staff report. Motion carried 7-0.

RECOMMENDED CONDITIONS OF APPROVAL:

The following conditions are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all other applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

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| 1. | Prior to Permit | Provide copies of revised and recorded joint access, transit, and MOA Transit Center easement agreements. |
| 2. | Prior to Permit | The applicant must identify potential locations for South Loop District |

- placemaking elements.
3. Prior to Permit The Grading, Drainage, Utility, and Erosion Control plans must be approved by the City Engineer.
 4. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
 5. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
 6. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
 7. Prior to Permit Signs must be in conformance with the requirements of Chapter 19, Article X of the City Code and the Mall of America master sign plan, as amended. No signage is approved through the final development plan.
 8. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
 9. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
 10. Prior to Permit A Construction Management Plan, including construction phasing and staging, must be submitted for review and approval by the City.
 11. Ongoing All construction stockpiling, staging, and parking must take place on-site and off adjacent public streets and public rights-of-way.
 12. Ongoing Alterations to utilities must be at the developer's expense.
 13. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
 14. Ongoing Transit station design must not preclude the implementation of a pedestrian bridge between the transit station and MOA Phase III, located east of 24th Avenue South and East 82nd Street.

ITEM 2
6:19 p.m.

CASE:	PL2016-123
APPLICANT:	City of Bloomington
LOCATION:	NA
REQUEST:	An ordinance opting out of the requirements of Minnesota Statutes Section 462.3593, which defines and regulates temporary family health care dwellings, and establishing standards and approval processes for public and public utility buildings in the BP-1 and BP-2 Overlay Zoning Districts, thereby amending Chapter 21 of the City Code

PUBLIC HEARING DISCUSSION:

Markegard noted the ordinance includes amendments on two separate issues. The first issue relates to the Bluff Protection Overlay Districts. Historically there was a standard that prohibited development below the 760 foot elevation within the Bluff Protection Overlay District. The City Council amended the standard recently to allow public and public utility structures within the area. He showed photos of typical public utility structures. The Council requested staff to compile standards for such public and public utility structures. The proposed standards include building size, retaining wall/terracing, screening, design/color and impacts to the bluff character/integrity. The approval process would be through a conditional use permit with final decision at the City Council.

Markegard said the second ordinance issue involves temporary family health care dwellings. Temporary family health care dwellings are portable dwellings, 300 sq. ft. or less that are typically placed within a residential yard. The Minnesota Legislature passed a bill that mandated cities to allow these structures for mentally or physically impaired individuals at the home of the family or caretaker. Based on significant concerns from cities, counties and the League of Minnesota Cities, the Legislature included a provision to allow cities to opt out of the standards. Bloomington has several concerns including safety, community character, the impaired being better served in a permanent setting, and loss of local control. Markegard said the Fire Department had concerns combining the low fire standards of portable structures with the low mobility of many impaired individuals. There are also safety concerns related to extension cords, freezing water service lines and freezing sewer systems. There are alternatives to a temporary family health care dwelling for impaired individuals including allowing the health care dwelling within the existing home, as an addition to existing homes, within permanent accessory dwelling units or within care facilities. He provided a list of many Minnesota cities that are considering opting out of the requirements but noted the list is incomplete as it was compiled based on a quick internet search. There may be many more cities also considering opting out. Staff has received two items of correspondence on the ordinance, both in favor of opting out.

Batterson asked about the retaining wall standard for public utility structures.

Markegard said the retaining wall must be no more than four feet in height plus there are standards on tiering terraces.

Snyder stated the Minnesota Legislature responded to the need for a temporary family health care dwelling. She suggested looking at health care facilities for those who may utilize the temporary family health care dwelling.

Markegard stated there is also a limit of one four foot retaining wall, so terracing is prohibited.

Solberg asked about the genesis for the temporary family health care dwelling mandate.

Markegard said he does not have details but understands the manufacturer of the dwellings was very involved in supporting the bill as were a family that wanted one in Apple Valley.

The public hearing was closed via a motion.

Batterson stated such dwellings would negatively affect the neighborhood and property values. He believed the mandate was an overreach by the State. He is in favor of opting out of the standards.

ACTIONS OF THE COMMISSION:

M/Batterson, S/Snyder: To close the public hearing. Motion carried 7-0.

M/Batterson, S/Bennett: In Case PL2016-123, I move to recommend approval of a City Code amendment to add performance standards and modify the approval process for structures in the BP-1 and BP-2 Overlay Districts and to opt out of the State legislation allowing temporary health care dwellings.
Motion carried 7-0.

ITEM 3
6:34 p.m.

CASE:	PL2016-108
APPLICANT:	Toro Companies
LOCATION:	351 American Blvd. W., 8001, 8011, and 8015 Grand Avenue
REQUEST:	South Rezoning several parcels from R-1 to I-3(PD) and 351 American Blvd. W. from I-3 to I-3(PD), Preliminary and Final Plat, and Major Revision to the Preliminary and Final Development Plan for the Toro Corporate campus planned development

SPEAKING FOR THE APPLICANT:

Emily Peaskamp, 8111 Lyndale Avenue S, Bloomington, MN 55410

PUBLIC HEARING DISCUSSION:

Centinario summarized the proposal, which includes rezoning, combining parcels, and amending the preliminary development plan and final development plan. He presented an image showing properties owned by Toro Companies. Some Toro owned parcels are zoned single family residential and are proposed to be rezoned to I-3(PD). The Preliminary and Final Plat would combine all properties into one lot. The major revision to the Preliminary Development Plan (PDP) establishes the corporate campus plan and involves site improvements. The Final Development Plan (FDP) would convert an existing warehouse building to office and construct an 82 stall parking lot. Also proposed is a proof of parking location adjustment due to the parking lot expansion, vacation of 80th Street and a right-of-way agreement to use Pleasant Avenue. The majority of the Toro campus is zoned I-3 and is part of the planned development. Toro is seeking to rezone the single family parcels to I-3 and incorporate them into the Planned Development Overlay District. In 2013, Toro completed a building and parking lot expansion. The parking lot would be expanded and an existing proof of parking agreement would be revised. He showed an image of previous buildings that have been renovated. The Final Development Plan includes renovation of a building along American Blvd and parking lot expansion. The landscape plan shows Code compliant landscaping on the site and between the building and American Blvd. The modified building materials would be translucent panels and glass. Other than replacing windows and recladding the building, the north elevation's appearance would not change dramatically. There are 1,591 proposed parking stalls with 1,577 stalls required.

Solberg asked about enforcement on this property.

Centinario said the enforcement action related to storage and has been resolved.

Goodrum asked about the location of the proposed six foot fence for storage.

Centinario noted the City has approved a right-of-way use agreement for use of Pleasant Avenue. The fence would surround the storage area.

Goodrum asked about surrounding uses and the type of equipment in the storage area.

Centinario said there is a railroad to the east of the Toro site. Industrial land uses are east of the rail corridor. The storage area would be used to store Toro's products and he believed most of the equipment to be under six feet tall.

Emily Peaskamp thanked staff. The proposal will improve the overall Toro plan.

Goodrum asked what type of equipment will be stored in the storage area.

Peaskamp said the majority of the equipment would be under the fence height.

Goodrum stated it is important to be following the Code for storage.

The public hearing was closed via a motion.

Batterson appreciated the look of the Toro campus and is happy to see it continuously improve. He applauded staff for working with local businesses.

Swanson agreed. He asked if there is a long term plan to convert the parking lot at American Blvd and Lyndale Avenue to a building to better anchor the corner.

Centinario said Toro is not proposing to build out the corner. The evolution of the campus stemmed from the existing buildings near E 82nd Street. The PDP does not propose to build on the corner out at this time.

ACTIONS OF THE COMMISSION:

M/Bennett, S/Swanson: To close the public hearing. Motion carried 7-0.

M/Batterson, S/Solberg: In Case PL2016-108, having been able to make the required findings, I move to recommend City Council adopt an ordinance approving the rezoning of several parcels from R-1 to I-3(PD) and 351 American Blvd. W. from I-3 to I-3(PD), adopt a resolution approving a Preliminary and Final Plat, and approve a Major Revision to the Preliminary and Final Development Plan for the Toro Corporate campus planned development subject to the conditions and Code requirements attached to the staff report.
Motion carried 7-0.

RECOMMENDED CONDITIONS OF APPROVAL:

The following conditions are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all other applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit A Site Development Agreement, including all conditions of approval, must be executed by the applicant and the City and must be properly recorded by the applicant with proof of recording provided to the Director of Community Development.
2. Prior to Permit A Proof of Parking Agreement for 158 spaces must be approved and

- filed with Hennepin County.
3. Prior to Permit The Grading, Drainage, Utility, and Erosion Control plans must be approved by the City Engineer.
 4. Prior to Permit A right of way use agreement for the temporary use of the Pleasant Avenue right of way parking must be approved by the City Council.
 5. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
 6. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
 7. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
 8. Prior to Permit The properties must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of any permits (22.03(a)(2)).
 9. Prior to Permit An erosion control surety must be provided (16.05(b)).
 10. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
 11. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
 12. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
 13. Prior to Permit Vacation of existing right of way and easements are recommended upon re-conveyance of new easements, as approved by the City Engineer.
 14. Ongoing All pickup and drop-off must occur on site and off public streets.
 15. Ongoing All loading and unloading must occur on site and off public streets.
 16. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
 17. Ongoing All rooftop equipment must be fully screened (Sec. 19.52.01).
 18. Ongoing Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN.Rules Chapter 1306; MN State Fire Code Sec. 903).
 19. Ongoing A minimum 5 foot sidewalk must be installed connecting primary buildings within the planned development (Section 21.301.04(b)(1)).

ITEM 4
6:52 p.m.

APPLICANT: City of Bloomington**REQUEST:** Consider approval of draft Planning Commission meeting synopsis of July 7, 2016 and July 21, 2016

ACTIONS OF THE COMMISSION:

M/Solberg, S/Bennett: I move to approve the draft Planning Commission meeting synopsis of July 7, 2016 as presented.
Motion carried 7-0.

M/Solberg, S/Bennett: I move to approve the draft Planning Commission meeting synopsis of July 21, 2016 as presented.
Motion carried 7-0.

The meeting adjourned at 6:53 p.m.

Prepared By: EO **Reviewed By:** GM, MC

Approved By Planning Commission: _____